

Notice of Allowability

Application No.

09/898,108

Examiner

Leonid Shapiro

Applicant(s)

AMENTO ET AL.

Art Unit

2629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment, filed on 05/05/06.
2. ☒ The allowed claim(s) is/are 1,3-20, renumbered as 1-19.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

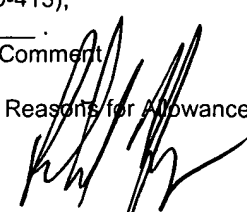
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


RICHARD HJERPE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

Examiner's Amendment

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Claim 1: on Line 2, following the word "signals" insert the following: --- conducted by finger bones to one or more piezo-electric contact materials (microphones) at a wrist location ---.

Claim 10: on Line 7, following the word "movements" insert the following: --- conducted by finger bones to one or more piezo-electric contact materials (microphones) at a wrist location ---.

Claim 14: on Line 5, following the word "movements" insert the following: --- conducted by finger bones to one or more piezo-electric contact materials (microphones) at a wrist location ---.

Claim 20: on Line 4, following the word "signals" insert the following: --- conducted by finger bones to one or more piezo-electric contact materials (microphones) at a wrist location ---.

Authorization for this examiner's amendment was given in a telephone interview with Attorney Wendy K. Buskop on 07.17.06.

Allowable Subject Matter

2. Claims 1 and 3-20 are allowed.

3. The following is an examiner's statement of reasons for allowance:

None of the cited references in combination with other limitations of claim teaches or suggests a method for controlling an electronic device, wherein receiving one or more bioacoustic signals conducted by finger bones to one or more piezo-electric contact materials (microphones) at a wrist location, each signal related to one or more hand gestures including finger movements, as disclosed in independent claims 1 and 20. The closest art (Barlett and Shimozu et al.) disclose related methods, either singularly or in combination fail to anticipate or suggest these limitations obvious.

None of the cited references in combination with other limitations of claim teaches or suggests a wrist adaptable wireless apparatus for invoking functions of a portable wireless device, wherein a processor coupled to at least one piezo-electric contact microphone which receives acoustic sensor signal data; a storage facility for storing a plurality of gesture patterns which include finger movements conducted by finger bones to one or more piezo-electric contact materials (microphones) at a wrist location; wherein the processor is operative to compare acoustic sensor signal data with the plurality of gesture patterns, to detect a substantial match, as disclosed in independent claims 10 and 14. The closest art (Barlett and Shimozu et al.) disclose related methods, either singularly or in combination fail to anticipate or suggest these limitations obvious.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Telephone inquire

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leonid Shapiro whose telephone number is 571-272-7683. The examiner can normally be reached on 8 a.m. to 5 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Hjerpe can be reached on 571-272-7691. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Application/Control Number: 09/898,108
Art Unit: 2629

Page 5

LS
07.17.06

A handwritten signature in black ink, appearing to read 'R. Hjerpe', with a stylized, sweeping flourish at the end.

RICHARD HJERPE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600